

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

PARTEC AG and BF EXAQC AG,  
  
Plaintiffs,  
  
vs.  
  
MICROSOFT CORPORATION,  
  
Defendant.

Civil Action No. 2:24-cv-00433-RWS-RSP

**JURY TRIAL DEMANDED**

**ORDER**

Before the Court is the parties' Joint Motion for Federal Rule of Evidence 502(d) Order. In the Motion the parties seek an order under Federal Rule of Evidence 502(d). *See* Fed. R. Evid. 502(d) ("A federal court may order that the privilege or protection is not waived by disclosure connected with the litigation pending before the court — in which event the disclosure is also not a waiver in any other federal or state proceeding."). Having considered the Motion, and noting it is unopposed, for good cause shown the Motion is **GRANTED**.

IT IS THEREFORE ORDERED that Plaintiffs' production of document numbers 1–7 from Plaintiffs' April 11, 2025 Privilege Log does not and shall not constitute a waiver—for the purposes of this proceeding or any other proceeding in any other court—of privilege or work product protections for any other document or a broad subject matter waiver; rather, Plaintiffs' production of said documents constitutes, for purposes of this Action only, a waiver of privilege only as to the contents of the produced documents. Microsoft may question Plaintiffs' witnesses regarding the produced documents and their contents. Furthermore, this order is limited to the effect of Plaintiffs' production of said documents in this litigation and does not address whether any privilege or work product protections were previously waived through any other action.